



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Inventor(s) : Andrew M. Proehl  
Filed : 1/29/2004  
Serial No. : 10/767,473  
Confirmation No. : 3618  
Group Art Unit : Unknown  
Examiner : Unknown  
Docket Number : 50N3127.01  
Title : Modal Display, Smooth Scroll Graphical User Interface....

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313 -1450

**CERTIFICATE OF MAILING / FAX TRANSMISSION**

I hereby certify that this correspondence is, on the date shown below, being:

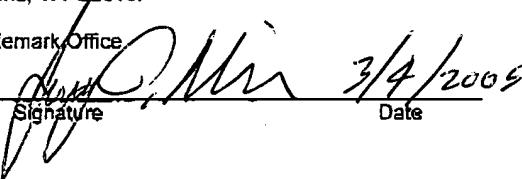
deposited with the U.S. Postal Service as first class mail with sufficient postage in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

transmitted by facsimile to the U.S. Patent and Trademark Office

JERRY A. MILLER, Reg. No. 30,779  
(Applicant, Assignee or Reg. Representative)

Signature

Date

  
3/4/2005**PETITION TO REVIVE AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)**

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the U.S. Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.**

03/08/2005 YPOLITE1 00000017 193195 10767473

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Note: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal Disclaimer with disclaimer fee for all utility and plant patents filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

Enclosed herewith please find:

1. Petition fee

Small Entity fee of \$ \_\_\_\_\_. Applicant claims small entity status.  
 Other than Small Entity fee of \$1500 (see total fee calculation below)

2. Reply and/or fee

The reply and/or fee to the Office Action dated June 16, 2004  
 is enclosed herewith.  
 was previously filed on \_\_\_\_\_.  
 The issue fee of \$ \_\_\_\_\_.  
 was paid previously on \_\_\_\_\_.  
 is enclosed herewith.

3. Terminal disclaimer and disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.  
 A terminal disclaimer and disclaimer fee of \$ \_\_\_\_\_ is enclosed herewith.

4. Statement: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.
5. The enclosed fee is calculated below:

Basic Filing Fee	\$ 300.00
Independent Claims > 3 = 3X\$200	\$ 600.00
Dependent Claims > 20 = 20X\$50	\$1000.00
Utility Search Fee	\$ 500.00
Utility Examination Fee	\$ 200.00
Petition Fee	\$1500.00
Late Filing Surcharge	\$ 130.00
<b><u>TOTAL FEES ENCLOSED</u></b>	<b><u>\$4230.00</u></b>

6. Please charge the above fees to deposit account number 19-3195. A duplicate copy of this document is enclosed.
7. In the event this fee calculation is incorrect, the Commissioner is hereby authorized to deduct any further fees required for this petition from deposit account 19-3195.

Respectfully submitted,



Milton Frazier  
Registration No. 44687

Dated: 01/14/05

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